

Councilman Wolf; nays, none; Councilman Bartholomew absent.

The request of the State Highway Department that the City deed a strip of land off the Patterson tract at the Airport and the Evergreen Cemetery for right-of-way for the new highway skirting East Austin, as submitted by the City Engineer, was taken under advisement until the next regular meeting.

In the matter of a beer permit heretofore issued, the City Engineer was instructed to have measured the distance from the premises of Dew Drop Inn in the 1200 block of East 6th Street to the nearest church that is being used at present as a place of worship, and report back to the City Council.

Upon motion, seconded and carried, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

Approved: Tom Miller
MAYOR

Attest:

Hallie M. Kellan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 23, 1942.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, April 23, 1942, at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The Minutes of the regular meeting of April 16, 1942, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following ordinance was introduced by Councilman Wolf:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY MAKING CERTAIN ADDITIONS TO SECTIONS 23 (b) AND 23 (d) AS HEREINAFTER STATED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith, AND DECLARING AN EMERGENCY.

The Ordinance was read the first time and Councilman Wolf moved that the rules be suspended and the Ordinance be passed to its second reading. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Ordinance was read the second time and Councilman Wolf moved that the rules be further suspended and the Ordinance be passed to its third reading. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Ordinance was read the third time and Councilman Wolf moved that the Ordinance be finally passed. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor then declared the Ordinance finally passed.

A committee from the University House Mothers Association, composed of Mrs. Odie Minatra, Chairman, Mrs. Frances Wooldridge, et al., presented a petition signed by a large number of its members, asking that an investigation of the excessive gas rates in Austin be made by either the City or the Railroad Commission, with a view to lowering same. The matter was referred to the City Attorney for consultation with Wm. A. Trenckmann, attorney for petitioners, and Herman Jones, Director Gas Utilitien Division, Railroad Commission, regarding the best procedure for obtaining such rate reduction.

Reverend E. J. Keller, Pastor of the Spanish Lutheran Church, registered a protest against the issuance of a beer license to the Dew Drop Inn, 1200 East 6th Street, on the ground that such premises were within three hundred feet of said church.

The City Engineer reported that by actual measurement it was found that the premises referred to above were within three hundred feet of a church being used at present as a place of worship.

Councilman Wolf then moved that it having been found that the premises of the Dew Drop Inn, 1200 East 6th Street, are within the legal limit of three hundred feet of a church, the Wine and Beer License issued to said Dew Drop Inn on March 24, 1942, be revoked, and the City Attorney be instructed to act accordingly. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF CIRCUSES, WILD WEST SHOWS, THEATRICAL AND DRAMATIC PERFORMANCES, MEDICINE SHOWS, VAUDEVILLE SHOWS, MINSTREL SHOWS, MOVING PICTURE SHOWS, SKATING RINKS, CARNIVALS, MERRY-GO-ROUNDS, FERRIS WHEELS, WHIPS, SKY RIDES, HOBBY HORSES, FLYING JERINIES, BAT-A-BALLS, TILT-A-WHEELS, PONY RIDES, KIDDY TRAINS, OR OTHER RIDING OR SKILL DEVICES OF SUCH CHARACTER, WITH OR WITHOUT NAME, AND AMUSEMENT PARKS, CONDUCTED UNDER A TENT, AWNING, CANOPY, ENCLOSURE, OR WITHIN A TEMPORARY STRUCTURE, OR OUTSIDE OF A BUILDING, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; DEFINING CERTAIN WORDS AND PHRASES; PRESCRIBING SPECIAL REGULATIONS FOR AMUSEMENT PARKS; PRESCRIBING PERMITS FOR EVERY SUCH EXHIBITION OR OPERATION AND PRESCRIBING PERMIT FEES FOR AMUSEMENT PARKS; PROVIDING FOR THE REVOCATION OR SUSPENSION OF LICENSES OR PERMITS; PRESCRIBING PENALTIES; REPEALING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL SEPTEMBER 20, 1934, AND RECORDED IN BOOK "J", PAGES 619-620, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, BUT MAKING THIS ORDINANCE CUMULATIVE OF OTHER ORDINANCES WHERE NOT IN CONFLICT OR INCONSISTENT THEREWITH; PROVIDING A SAVING CLAUSE; AND DECLARING AN EMERGENCY.

The Ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the Ordinance be passed to its second reading. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Ordinance was read the second time and Councilman Gillis moved that the rules be further suspended and the Ordinance be passed to its third reading. The motion was seconded by Councilman Wolf,

and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Ordinance was read the third time and Councilman Gillis moved that the Ordinance be finally passed. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor then declared the Ordinance finally passed.

The above ordinance was passed subject to a written agreement by P. L. Bible that he will pay the pro rata part of taxes for this year on all property belonging to his amusement park to be located on M. H. Crockett's property abutting the Barton Springs Road, assessed at a two-thirds valuation.

Fred (Skinny) Pryor appeared to protest the granting of a permit to P. L. Bible, lessee of M. H. Crockett, for an amusement park if same is to be operated with gambling devices, but withdrew his objections if no such devices are to be allowed.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of G. B. King for the years 1930 through 1940, both inclusive, on the west one-half (1/2) of Lots 4, 5, and 6, Block 20, Outlots 32-33, Division "B", Glenwood, said taxes being for the sum of \$177.01; and for non-payment of same at maturity, penalty in the sum of \$8.85 has been assessed, and interest in the sum of \$65.80 has accrued, making the total amount of taxes, penalty and interest the sum of \$251.66; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$8.85 and one-half of the interest in the sum of \$32.90; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$8.85 and one-half of the interest in the sum of \$32.90 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$8.85 and one-half of the interest in the sum of \$32.90 off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest as aforesaid.

The foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was recessed at 11:50 A. M., subject to call of the Mayor.

Approved

Tom Miller
Mayor

Attest:

Hallie M. Keller
City Clerk